



and Defendant's counsel. The settlement was negotiated at arms length, and was achieved after more than three (3) years of investigation, discovery, and negotiation. The terms of the settlement are fair, reasonable, and in the best interest of all parties.

WHEREFORE, the parties respectfully request that this Court sign the accompanying order approving the settlement and dismissing this case with prejudice per Fed. R. Civ. P. 41, as well as for such other relief, at law and in equity, to which the parties may show themselves justly entitled.

Respectfully submitted,

*/s/ Richard J. (Rex) Burch*

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**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the above and foregoing instrument was forwarded to all counsel of record via ECF delivery on this the 2<sup>nd</sup> day of November 2010 as follows:

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